

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

RANDY WASHINGTON,

Defendant.

USDS SDNY
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DOC #: _____
DATE FILED: <u>4-19-13</u>

No. 11 Cr. 605 (RJS)  
ORDERRICHARD J. SULLIVAN, District Judge:

At a conference held on February 8, 2013, the Court, upon Defendant's request, (1) adjourned sentencing in this matter so that Defendant could obtain further neuropsychological evaluation, (2) ordered that Defendant make any additional sentencing submissions by April 9 and that the government respond by April 23, and (3) set a sentencing date of May 10, 2013. On April 9, 2013, the Court received a letter from Defendant stating that the expert evaluation of Defendant had identified certain cognitive "impairments" and requesting a ten-week adjournment of the May 10 date to allow for an investigation into "the physiological and/or psychological bases" for the cognitive impairments identified by Defendant's expert. Defendant also attached a copy of the expert's report with his letter. Defendant did not, however, make a submission stating the relief that he would be seeking based on the expert's findings, nor did he explain the legal relevance of the causes or bases of the alleged impairments. On April 16, the Court received a letter from the government noting that Defendant had failed to state the relief he was seeking based on the expert's findings and that the government was thus unable to file a response.

In light of Defendant's failure to explain the legal relevance of the proposed investigation, IT IS HEREBY ORDERED THAT Defendant's request for an adjournment is DENIED and the parties should be prepared to proceed with sentencing on May 10, 2013 at 11:00 a.m. in

Courtroom 905 at 40 Foley Square. If Defendant wishes to make a submission in advance of that date, it shall do so on or before April 26, 2013, and any response by the government shall be submitted on or before May 3, 2010.

SO ORDERED.

Dated:           April 18, 2013  
                  New York, New York

  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE